

RESOLUTION NO. 2025-51

**GRANTING PERMANENT AND TEMPORARY EASEMENTS FOR
THE CONSTRUCTION, OPERATION AND MAINTENANCE OF
SEWER INFRASTRUCTURE (KINGSBURY RUN
CONSOLIDATION SEWER PROJECT)**

WHEREAS, the Greater Cleveland Regional Transit Authority ("Authority") owns a parcel of land located in and around its Kingsbury Yard in the City of Cleveland, identified by Permanent Parcel Number 125-13-001 ("Kingsbury Property"); and

WHEREAS, the Authority owns a parcel of land adjacent to the Kingsbury Property located in the vicinity of East 67th Street and Berwick Avenue in the City of Cleveland, identified by Permanent Parcel Number 124-21-007; and

WHEREAS, the Authority owns two parcels of land located at the foot of Grand Avenue in the City of Cleveland, identified by Permanent Parcel Numbers 124-22-009 and 124-23-010; and

WHEREAS, the Northeast Ohio Regional Sewer District ("NEORS") has initiated the Kingsbury Run Consolidation Sewer Project ("KRCS Project") to construct new sewer lines, new relief sewers, and new and rehabilitated flow regulator structures in an area that includes the land set forth above; and

WHEREAS, NEORS has requested that the Authority grant seven permanent and temporary surface and subsurface easements across and under the aforementioned property for the purpose of constructing, operating, and maintaining access roads, sewer lines, relief sewers, and flow regulator structures for the KRCS Project; and

WHEREAS, three of the easements requested by NEORS require authorization from the Board of Trustees; and

WHEREAS, the Authority has negotiated acceptable terms and conditions governing the easements, compensation of \$83,235.00 for the three easements requiring authorization of the Board of Trustees, and a total compensation of \$93,544.00 for all seven easements requested by NEORS; and

WHEREAS, the proposed consideration for the easements is reasonable and consistent with the appraisals of the property provided by NEORS; and

WHEREAS, the grant of the proposed easements is consistent with the Authority's real estate policies.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the General Manager, Chief Executive Officer is hereby authorized to grant a permanent non-exclusive access easement across Permanent Parcel Number 125-13-001 to the NEORS for constructing and maintaining an access road for the KRCS Project, identified as easement "P2" on the Survey of Permanent and Temporary Easements dated December 18, 2024, for the price of \$22,025.00.

Section 2. That the General Manager, Chief Executive Officer is hereby authorized to grant a permanent sewer easement in, upon, over and under Permanent Parcel Number 125-13-001 to the NEORSD for constructing, operating and maintaining public sanitary sewers and appurtenances for the KCRS Project, identified as easements "P1" and "P4" on the Survey of Permanent and Temporary Easements dated December 18, 2024, for the price of \$36,410.00.

Section 3. That the General Manager, Chief Executive Officer is hereby authorized to grant a temporary easement for construction access and materials storage across Permanent Parcel Number 125-13-001 for a term of three and one-half (3.5) years to the NEORSD for the KCRS Project, identified as easements "T1", "T2", "T3", and "T4" on the Survey of Permanent and Temporary Easements dated December 18, 2024, for the price of \$24,800.00.

Section 4. That the General Manager, Chief Executive Officer is hereby authorized to execute all documents required to grant the easements authorized herein to NEORSD and to allow access to the property.

Section 5. That the funds received for granting the easements authorized herein will be deposited in the GCRTA General Fund.

Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: April 15, 2025



President

Attest: 

Secretary-Treasurer



TITLE/DESCRIPTION: DISPOSITION: GRANTING PERMANENT AND TEMPORARY EASEMENTS FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF SEWER INFRASTRUCTURE (KINGSBURY RUN CONSOLIDATION SEWER PROJECT) GRANTEE: NORTHEAST OHIO REGIONAL SEWER DISTRICT TERM: PERMANENT AND TEMPORARY	Resolution No.: 2025-51
	Date: April 10, 2025
	Initiator: Engineering & Project Management

ACTION REQUEST:
☒ Approval ☐ Review/Comment ☐ Information Only ☐ Other _____

1.0 **PURPOSE/SCOPE:** This resolution authorizes the Greater Cleveland Regional Transit Authority ("Authority") to grant permanent and temporary surface and subsurface easements to the Northeast Ohio Regional Sewer District ("NEORSD") across and under Authority-owned real property for the construction, operation and maintenance of surface and underground facilities in connection with NEORSD's Kingsbury Run Consolidation Sewer Project ("KRCS Project"). The purpose of these easements is to permit the construction, operation, and maintenance of access roads, sewer lines, relief sewers, and flow regulator structures required for the project.

2.0 **DESCRIPTION/JUSTIFICATION:** The KRCS Project is part of Project Clean Lake, a \$3 billion, 25-year program that NEORSD began in 2011 to meet Clean Water Act standards and address water quality issues. The KRCS Project will reduce wet weather combined sewer overflows released into the Cuyahoga River by about 260 million gallons in a typical year. The KRCS Project encompasses over 6,400 linear feet of new sewer lines, hundreds of feet of new relief sewers, and new and rehabilitated flow regulator structures. The project area spans from the Opportunity Corridor near Kinsman Road south to the Southerly Wastewater Treatment Plant in Cuyahoga Heights. It includes the Kinsman and Broadway/Slavic Village neighborhoods and the suburbs of Newburgh Heights and Cuyahoga Heights. Construction in these areas is expected to continue until mid-2028.

To secure the necessary rights in the affected real property, NEORSD has requested seven (7) separate permanent and temporary easements under or across Authority property. The location of the easements is in and around the Authority's Kingsbury Yard, as illustrated on the attached Location Maps. Kingsbury Yard is the Authority's primary storage and staging area for large and heavy rail components and includes a spur track connecting to the rest of the Authority's rail system.

The easements will accommodate the permanent sewer infrastructure and temporary construction needs. The terms of the proposed easements are summarized in the following table:

Staff Summary & Comments

Permanent and Temporary Easements for Kingsbury Run Consolidation Sewer Project

Page 2

Temp/Perm	Use	Parcel(s) (Cuyahoga County PPN	Survey ID	Location	Term	Area (Ac)	\$	Board Approval
Temporary	Access	124-21-007	T1	E66th & Berwick	1 yr	0.0455	\$400.00	No
Permanent	Access	125-13-001	P2	Kingsbury Ravine	PERM	1.3147	\$22,025.00	Yes
Permanent	Sewer	125-13-001	P1, P4	Kingsbury Ravine	PERM	1.4392	\$36,410.00	Yes
Permanent	Sewer	125-13-001	P3	Kingsbury Ravine	PERM	0.0657	\$3,285.00	No
Temporary	Access + Storage	125-13-001	T1, T2, T3, T4	Kingsbury Ravine	3.5 yrs	1.4068	\$24,800.00	Yes
Temporary	Storage	124-22-009 & 124-23-010	T1	Grand Ave	1 yr	0.1278	\$1,500.00	No
Permanent	Sewer	124-22-009	P1	Grand Ave	PERM	0.0588	\$5,124.00	No
						4.4585	\$93,544.00	

The Authority has negotiated the following terms and conditions governing the easements, which are incorporated into the easement documents:

- The Authority will not incur any costs for this project.
- Any damage or wear and tear to the Authority's real property or facilities resulting from the project will be restored to the satisfaction of the Authority.
- The easements are for the limited purpose of the installation and maintenance of the sewer facilities and for no other purpose.
- The Authority retains all surface rights on the property except in the area of Permanent Easement P4, which is an area not currently being used by the Authority.
- The Authority will control access to the property.
- The easements and use thereof may not interfere with any of the Authority's operations.
- Useful improvements to the property made by NEORS D will remain in place for the Authority's use and benefit after construction on Authority property is completed.
- If the use of any permanent easement ceases, all interest in the property reverts to the Authority.

3.0 PROCUREMENT BACKGROUND: Does not apply.

4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: Does not apply.

5.0 POLICY IMPACT: The grant of the proposed permanent and temporary easements is consistent with the real estate policies of the Authority. Due to the duration and/or dollar value of each proposed easement, three of the subject transactions require the approval of the Board of Trustees. The other four easements may be authorized by the General Manager, Chief Executive Officer.

6.0 ECONOMIC IMPACT: The compensation for the three (3) easements requiring Board authorization is \$83,235.00, and the total compensation for all seven of the easements is \$93,544.00, which is consistent with appraisals of each easement provided by NEORS D. In addition, there are several valuable infrastructure improvements that the NEORS D must make to the property for the KRCS Project, some of which will be left in place for the benefit of the Authority. These "in-kind" improvements include a new gate and wide apron at the E. 71st St. entrance, new gravel areas for laydown areas, and an improved access drive. The Authority would incur significant costs to design and construct these improvements.

Staff Summary & Comments

Permanent and Temporary Easements for Kingsbury Run Consolidation Sewer Project

Page 3

- 7.0 ALTERNATIVES: The Authority can decline to approve the proposed easements. The NEORSD would be entitled by law to acquire the easement rights through eminent domain proceedings.
- 8.0 RECOMMENDATION: These easements were discussed at the April 1, 2025 Audit, Safety Compliance and Real Estate Committee meeting and recommended for consideration by the full Board of Trustees. It is recommended that the resolution approving these easements be adopted.
- 9.0 ATTACHMENTS:
- A. Location Map
 - B. Surveys

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.


General Manager, Chief Executive Officer

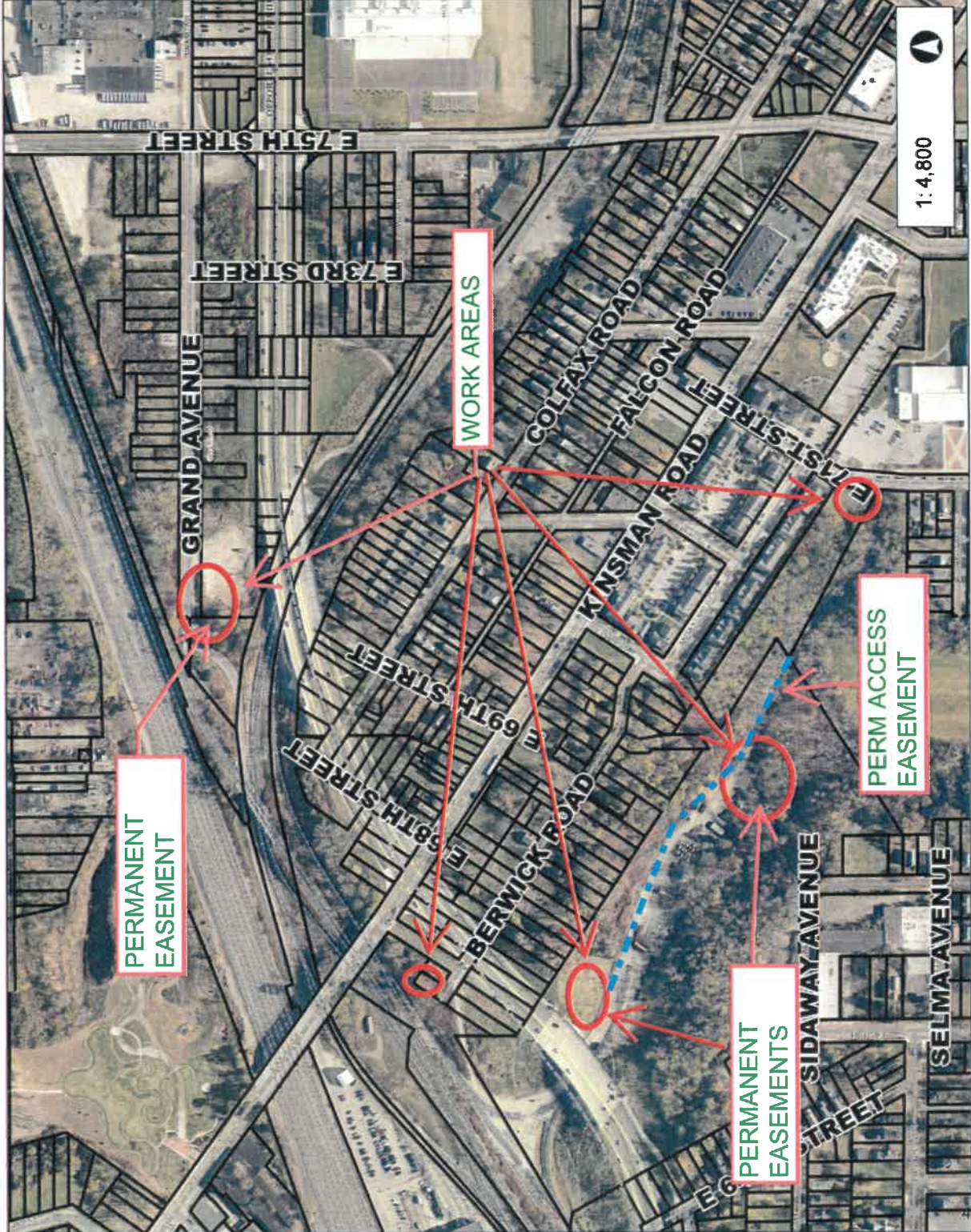
NEORSD Kingsbury Work Sites



Date Created: 3/19/2025

Legend

- Municipalities
- Platted Centerline
- Parcel
- Private Road



1: 4,800

800 400 0 800 Feet

Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

SHEET 1 OF 2

PERMANENT AND TEMPORARY EASEMENTS

125-13-001-KRCS-P1,P2,T3&T4

ACROSS PARCEL NO.

125-13-001

PART OF ORIGINAL 100 ACRE

LOT NO. 329

CITY OF CLEVELAND,

COUNTY OF CUYAHOGA,

STATE OF OHIO

MEYER & THOMAN'S

ALLOTMENT

7 P. 14 CCMR

125-17-018

CITY OF CLEVELAND

LAND REUTILIZATION

PROGRAM

BERWICK RD.

V. 98-01808 P. 44

125-13-006

CITY OF

CLEVELAND

E. 71ST ST.

V. 9489 P. 145

SIDWAY AVENUE 60'

ANITA KENNEDY ROAD SE 60'

125-13-001

GREATER CLEVELAND REGIONAL

TRANSIT AUTHORITY

6880 SIDWAY AVE.

V. 14450 P. 685

PERMANENT SURFACE EASEMENT

125-13-001-KRCS-P2

0.6207 ACRES

125-13-003

CITY OF CLEVELAND

CARSON AVE.

V. 6867 P. 318

PARCEL "D"

PLAT OF LOT SPLIT AND

CONSOLIDATION

V. 363 P. 70 CCMR



SCALE: 1"=120'

DECEMBER 18, 2024



KS ASSOCIATES

KS Associates, Inc.

260 Burns Road, Suite 100

Elyria, OH 44035

P 440 365 4730

F 440 365 4790

www.ksassociates.com

ABBREVIATIONS

AFN AUTOMATIC FILE NUMBER

CCMR CUYAHOGA COUNTY MAP

P RECORDS

POB PAGE

POC POINT OF BEGINNING

V POINT OF COMMENCEMENT

VOLUME

TREBOR A. BIXLER

PROFESSIONAL SURVEYOR, OHIO NO. 7730

LINE TABLE		
LINE	BEARING	LENGTH
L43	N64°27'44"W	56.66'
L44	N62°43'32"W	59.75'
L45	N55°39'10"W	49.30'

LINE TABLE		
LINE	BEARING	LENGTH
L20	S14°15'42"W	14.62'
L21	S61°03'13"E	163.12'
L22	S14°15'42"W	36.59'
L23	N56°10'10"W	73.71'
L24	N55°41'56"W	94.04'
L25	N14°15'42"E	21.03'
L26	S66°24'09"E	108.42'
L27	S61°21'34"E	105.51'
L28	S38°13'27"E	20.36'
L29	S57°57'40"E	465.89'
L30	N57°53'14"W	316.75'
L31	N58°04'41"W	56.82'
L32	N38°13'27"W	24.75'
L33	N61°21'34"W	98.75'
L34	N65°03'02"W	105.30'
L35	N55°48'34"W	164.99'
L36	N14°15'42"E	26.59'
L41	S61°54'52"E	85.42'
L42	S56°41'48"W	29.81'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S57°11'21"E	222.03'
L2	S32°48'39"W	220.00'
L3	S57°11'21"E	9.06'
L4	S57°11'21"E	15.00'
L5	S33°51'09"W	45.24'
L6	S14°15'42"W	61.43'
L7	N55°48'34"W	15.70'
L8	N69°45'47"W	70.74'
L9	N14°29'43"E	49.02'
L10	S75°31'55"E	68.97'
L11	N33°54'02"E	50.26'
L12	S55°48'34"E	180.70'
L13	N65°03'02"W	33.78'
L14	N70°10'35"W	88.82'
L15	N73°45'26"W	60.94'
L16	N75°29'52"W	78.96'
L17	N14°15'26"E	100.74'
L18	S75°31'55"E	21.43'
L19	S57°11'21"E	24.06'

LEGEND

CENTERLINE
RIGHT OF WAY
PROPERTY LINE

SHEET 1 OF 2

PERMANENT AND TEMPORARY
EASEMENTS

125-13-001-KRCS-P3,P4,T1&T2

ACROSS PARCEL NO.

125-13-001

PART OF ORIGINAL 100 ACRE

LOT NO. 329

CITY OF CLEVELAND,

COUNTY OF CUYAHOGA,

STATE OF OHIO

E. 66TH
STREET 40'

BERWICK
ROAD 40'

MEYER & THOMAN'S
ALLOTMENT

7 P. 4 CCMR

125-17-018

CITY OF CLEVELAND

LAND REUTILIZATION

PROGRAM

BERWICK RD.

V. 98-01808 P. 44

ANITA KENNEDY
ROAD SE 60'

125-13-006

CITY OF

CLEVELAND

E. 71ST ST.

V. 9489 P. 145

TEMPORARY
EASEMENT
125-13-001
-KRCS-T2
0.1333 ACRES

125-13-003
CITY OF CLEVELAND
CARSON AVE.
V. 6867 P. 318
PARCEL "D"

PLAT OF LOT SPLIT AND
CONSOLIDATION
V. 363 P. 70 CCMR

PERMANENT SUBTERRANEAN
EASEMENT
125-13-001-KRCS-P3
0.0657 ACRES
LOWER ELEVATION=546.00
UPPER ELEVATION=584.00

KS Associates, Inc.
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F 440 365 4790
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KS

KS ASSOCIATES

PERMANENT SURFACE
EASEMENT
125-13-001-KRCS-P4
0.5749 ACRES

TEMPORARY EASEMENT
125-13-001-KRCS-T1
1.0943 ACRES

125-13-001
GREATER CLEVELAND REGIONAL
TRANSIT AUTHORITY
6880 SIDAWAY AVE.
V. 14450 P. 685

ABBREVIATIONS

AFN AUTOMATIC FILE NUMBER
CCMR CUYAHOGA COUNTY MAP
P RECORDS
POB PAGE
POC POINT OF BEGINNING
V POINT OF COMMENCEMENT
VOLUME



SCALE: 1"=120'
DECEMBER 18, 2024

T. A. Bixler 12-18-24

TREVOR A. BIXLER
PROFESSIONAL SURVEYOR, OHIO NO. 7730

LINE TABLE		
LINE	BEARING	LENGTH
L20	S02°18'03"W	129.77'
L21	S56°41'48"W	24.60'
L22	N02°18'03"E	156.45'
L23	S42°55'25"W	132.62'
L24	N47°04'35"W	115.25'
L25	N37°10'45"E	108.31'
L26	N57°57'40"W	205.52'
L27	N32°02'49"E	169.38'
L28	S57°53'14"E	141.47'
L29	S33°49'46"E	72.49'
L30	N57°57'40"W	46.13'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S32°02'25"W	50.75'
L2	S58°55'13"W	59.48'
L3	S58°55'13"W	165.59'
L4	S33°49'46"E	74.44'
L5	S57°53'14"E	126.22'
L6	S32°06'46"W	97.62'
L7	N55°59'04"W	23.51'
L8	S32°02'20"W	126.28'
L9	N57°57'40"W	50.28'
L10	N32°18'06"E	59.55'
L11	N57°54'02"W	35.43'
L12	N32°00'48"E	134.09'
L13	N33°49'46"W	302.73'
L14	S57°11'21"E	18.95'
L15	N32°48'39"E	13.60'
L16	S33°49'46"E	188.60'
L17	S55°39'10"E	49.30'
L18	S42°55'25"W	169.44'
L19	N02°18'03"E	82.42'